

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

EIGHTEENTH DAY'S PROCEEDINGS

**Thirtieth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Monday, May 3, 2004

The Senate was called to order at 5:00 o'clock P.M., by Hon.
Donald E. Hines, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their
names:

PRESENT

| | | |
|---------------|--------------|-------------|
| Mr. President | Dupre | Kostelka |
| Adley | Ellington | Lentini |
| Amedee | Fields | Malone |
| Bajoie | Fontenot | Marionneaux |
| Barham | Gautreaux, B | McPherson |
| Boasso | Gautreaux, N | Michot |
| Boissiere | Hainkel | Mount |
| Cain | Heitmeier | Nevers |
| Chaisson | Holden | Schedler |
| Cheek | Hollis | Smith |
| Cravins | Irons | Theunissen |
| Dardenne | Jackson | Ullo |
| Duplessis | Jones | |
| Total—38 | | |

ABSENT

Romero
Total—1

The President of the Senate announced there were 38 Senators
present and a quorum.

Prayer

The prayer was offered by Dr. J. R. Hume, following which the
Senate joined in pledging allegiance to the flag of the United States of
America.

Reading of the Journal

On motion of Senator Nevers, the reading of the Journal was
dispensed with and the Journal of yesterday was adopted.

Morning Hour

Messages from the House

The following Messages from the House were received and read
as follows:

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 3, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of
Representatives has finally concurred in the following Senate
Concurrent Resolutions:

**SENATE CONCURRENT RESOLUTION NO. 89—
BY SENATOR IRONS**

A CONCURRENT RESOLUTION
To designate May, 2004 as "Louisiana Month to Prevent Teen
Pregnancy".

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

May 3, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of
Representatives has finally passed and asks your concurrence in the
following House Bills and Joint Resolutions:

HOUSE BILL NO. 198—

BY REPRESENTATIVES BRUNEAU, ALARIO, ALEXANDER,
ANSARDI, ARNOLD, BADON, BALDONE, BAUDOUIN, BAYLOR,
BEARD, BOWLER, BRUCE, BURNS, BURRELL, R. CARTER,
CAZAYOUX, CRANE, CROWE, DAMICO, DANIEL, DARTEZ,
DEWITT, DORSEY, DOVE, ERDEY, FANNIN, FARRAR,
FAUCHEUX, FLAVIN, FRITH, FUTRELL, GEYMAN, GLOVER, E.
GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT,
HUNTER, HUTTER, JACKSON, JOHNS, KATZ, KENNEY,
LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MARTINY,
MCDONALD, MCVEA, MONTGOMERY, MURRAY, ODINET, PINAC,
PITRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE,
ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY,
GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST.
GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN,
TUCKER, WALSWORTH, WHITE, WINSTON, AND WRIGHT

AN ACT

To amend and reenact R.S. 47:1206 and to repeal Chapter 14 of
Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950,
comprised of R.S. 47:1201 through 1212, relative to the gift tax;
to phase in a reduction and repeal of the gift tax; to provide for
an effective date; and to provide for related matters.

HOUSE BILL NO. 273—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 32:63(B), relative to speed limits; to establish a minimum speed limit on certain portions of interstate highways; and to provide for related matters.

HOUSE BILL NO. 389 (Duplicate of Senate Bill No. 358)—

BY REPRESENTATIVE MURRAY AND SENATOR BAOJIE AND
COAUTHORED BY MARCHAND
AN ACT

To amend and reenact R.S. 19:136, 136.1(1), (3), and (4)(d), 136.2(B), 136.3(2) and (3)(a), 136.6 through 136.8, 136.9(B), and 136.11, to enact R.S. 19:136.12, and to repeal R.S. 19:136.1(4)(e) and 136.10, relative to the expropriation of blighted or abandoned property by the city of New Orleans; to provide for the applicability to redemptive periods; to provide relative to the definition of "abandoned property"; to provide for notice to the owner; to provide for substantial rehabilitation and the payment of taxes and liens; to provide for the contents and notice of the petition for expropriation; to provide relative to the answer and opposition to the petition and for the waiver of defenses; to provide for the cancellation of inscriptions; to provide for the sale or transfer of expropriated property to third persons; and to provide for related matters.

HOUSE BILL NO. 391—

BY REPRESENTATIVES MURRAY AND MARCHAND
AN ACT

To amend and reenact R.S. 9:4821(1) and R.S. 13:2575(B)(2)(f), (C), and (F) and 2576 and to enact R.S. 13:4367, relative to the administrative adjudication of public health, housing, and environmental violations; to provide for applicability of certain provisions to municipalities with a population greater than four hundred fifty thousand; to provide relative to administrative hearings; to provide for waiver of collection or enforcement of liens; to provide for release given to subsequent purchasers; and to provide for related matters.

HOUSE BILL NO. 505—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 49:316.1(A)(2)(a) and to enact R.S. 49:316.1(A)(2)(c), relative to payments by treasury approved credit and debit cards; to provide for fees charged on transactions administered by third-party processors for the Department of Revenue or the Department of Transportation and Development; and to provide for related matters.

HOUSE BILL NO. 532—

BY REPRESENTATIVES JOHNS, BOWLER, AND WALKER
AN ACT

To amend and reenact R.S. 9:315.16, relative to child support; to provide for the review of the child support guidelines; to provide for the membership of the committee; and to provide for related matters.

HOUSE BILL NO. 744—

BY REPRESENTATIVES LANCASTER, BROOME, HAMMETT, AND
SALTER
AN ACT

To enact R.S. 44:22, relative to public records; to exempt certain records in the custody of the Department of Economic Development pertaining to negotiations relative to economic

development activities from the laws relative to public records until negotiations are concluded; to provide for certain determinations by the secretary of the Department of Economic Development; to provide for notice; and to provide for related matters.

HOUSE BILL NO. 880—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:1522, relative to the Department of Revenue; to authorize the secretary to enter into contracts to conduct alternative dispute resolution to assist in the collection of any taxes, penalties, or interest due; to limit the total tax liability subject to arbitration or mediation to five million dollars; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1388—

BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS
HEITMEIER AND HINES
AN ACT

To amend and reenact R.S. 42:455(A)(2)(b), relative to payroll deductions; to provide payroll deductions for certain domestic companies; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1461—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 32:389(D)(2), relative to weights and standards stationary scale police; to provide relative to appointment of the panel that reviews citations issued by weights and standards stationary scale police officers; and to provide for related matters.

HOUSE BILL NO. 1472—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 35:281, relative to the certain filings with the board of assessors in Orleans Parish; to require taxpayers to notify the board of change; and to provide for related matters.

HOUSE BILL NO. 106—

BY REPRESENTATIVE FARRAR
AN ACT

To amend and reenact R.S. 34:851.31(A)(1) and to enact R.S. 34:851.27(C), relative to speed limits on waterways; to establish "no-wake" zones around public boat launches and public and commercial docking facilities; and to provide for related matters.

HOUSE BILL NO. 1378—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 32:756(B), 771(22)(a)(i), 772(A)(1), 774(G)(1), and 780(B) and R.S. 36:4.1(D)(14) and to enact R.S. 32:771(22)(b)(vi) and 774.1, relative to used motor vehicle dealers; to provide for expiration of license of automotive dismantler and parts recycler; to provide for auctioning of used cars; to rename the Louisiana Used Motor Vehicle and Parts Commission to the Recreational and Used Motor Vehicle Commission; to provide relative to certain license fees; to create the rent with option-to-purchase program; to provide relative to certain penalties; and to provide for related matters.

HOUSE BILL NO. 488—

BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact R.S. 44:20(B) and to enact R.S. 44:20(C), relative to the recordation of discharge records from the armed forces; to provide for exemption of certain military discharge records from the public records law; to provide for release of certain military discharge records to the veteran and certain other persons; to provide for the limited release of other military discharge records; and to provide for related matters.

HOUSE BILL NO. 600—

BY REPRESENTATIVES JACK SMITH AND PIERRE AND
SENATORS B. GAUTREAUX AND MALONE
AN ACT

To enact R.S. 56:319.2, relative to exotic fish; to provide for the designation of fish as exotic; to provide for the taking of exotic fish; and to provide for related matters.

HOUSE BILL NO. 649—

BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 36:354(E)(2), relative to powers and duties of the secretary of the Department of Natural Resources; to authorize the training and certification of home energy raters by the office of the secretary; and to provide for related matters.

HOUSE BILL NO. 690—

BY REPRESENTATIVE BADON
AN ACT

To enact R.S. 14:95.1.1, relative to offenses affecting the public safety; to create the crime of illegally supplying a felon with a firearm; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 695—

BY REPRESENTATIVE JACK SMITH
AN ACT

To enact Subpart C of Part V of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:291, relative to management of wild animals; to prohibit the intentional feeding of bears in the wild; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 706—

BY REPRESENTATIVE HEBERT
AN ACT

To repeal R.S. 22:81(2), relative to domestic insurance corporations; to repeal certain shareholder requirements for directors.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 106—

BY REPRESENTATIVE FARRAR
AN ACT

To amend and reenact R.S. 34:851.31(A)(1) and to enact R.S. 34:851.27(C), relative to speed limits on waterways; to establish "no-wake" zones around public boat launches and public and commercial docking facilities; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 198—

BY REPRESENTATIVES BRUNEAU, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOUIN, BAYLOR, BEARD, BOWLER, BRUCE, BURNS, BURRELL, R. CARTER, CAZAYOUX, CRANE, CROWE, DAMICO, DANIEL, DARTEZ, DEWITT, DORSEY, DOVE, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GEYMAN, GLOVER, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HUNTER, HUTTER, JACKSON, JOHNS, KATZ, KENNEY, LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MARTINY, McDONALD, MCVEA, MONTGOMERY, MURRAY, ODINET, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WALSWORTH, WHITE, WINSTON, AND WRIGHT
AN ACT

To amend and reenact R.S. 47:1206 and to repeal Chapter 14 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:1201 through 1212, relative to the gift tax; to phase in a reduction and repeal of the gift tax; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 273—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 32:63(B), relative to speed limits; to establish a minimum speed limit on certain portions of interstate highways; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 389 (Duplicate of Senate Bill No. 358)—

BY REPRESENTATIVE MURRAY AND SENATOR BAJOE AND
COAUTHORED BY MARCHAND
AN ACT

To amend and reenact R.S. 19:136, 136.1(1), (3), and (4)(d), 136.2(B), 136.3(2) and (3)(a), 136.6 through 136.8, 136.9(B), and 136.11, to enact R.S. 19:136.12, and to repeal R.S. 19:136.1(4)(e) and 136.10, relative to the expropriation of blighted or abandoned property by the city of New Orleans; to provide for the applicability to redemptive periods; to provide relative to the definition of "abandoned property"; to provide for notice to the owner; to provide for substantial rehabilitation and the payment of taxes and liens; to provide for the contents and notice of the petition for expropriation; to provide relative to the answer and opposition to the petition and for the waiver of defenses; to provide for the cancellation of inscriptions; to provide for the sale or transfer of expropriated property to third persons; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 391—

BY REPRESENTATIVES MURRAY AND MARCHAND
AN ACT

To amend and reenact R.S. 9:4821(1) and R.S. 13:2575(B)(2)(f), (C), and (F) and 2576 and to enact R.S. 13:4367, relative to the administrative adjudication of public health, housing, and environmental violations; to provide for applicability of certain provisions to municipalities with a population greater than four hundred fifty thousand; to provide relative to administrative hearings; to provide for waiver of collection or enforcement of liens; to provide for release given to subsequent purchasers; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 488—

BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact R.S. 44:20(B) and to enact R.S. 44:20(C), relative to the recordation of discharge records from the armed forces; to provide for exemption of certain military discharge records from the public records law; to provide for release of certain military discharge records to the veteran and certain other persons; to provide for the limited release of other military discharge records; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 505—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 49:316.1(A)(2)(a) and to enact R.S. 49:316.1(A)(2)(c), relative to payments by treasury approved credit and debit cards; to provide for fees charged on transactions administered by third-party processors for the Department of Revenue or the Department of Transportation and Development; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 532—

BY REPRESENTATIVES JOHNS, BOWLER, AND WALKER
AN ACT

To amend and reenact R.S. 9:315.16, relative to child support; to provide for the review of the child support guidelines; to provide for the membership of the committee; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 600—

BY REPRESENTATIVES JACK SMITH AND PIERRE AND
SENATORS B. GAUTREAUX AND MALONE
AN ACT

To enact R.S. 56:319.2, relative to exotic fish; to provide for the designation of fish as exotic; to provide for the taking of exotic fish; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 649—

BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 36:354(E)(2), relative to powers and duties of the secretary of the Department of Natural Resources; to authorize the training and certification of home energy raters by the office of the secretary; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 690—

BY REPRESENTATIVE BADON
AN ACT

To enact R.S. 14:95.1.1, relative to offenses affecting the public safety; to create the crime of illegally supplying a felon with a firearm; to provide for penalties; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 695—

BY REPRESENTATIVE JACK SMITH
AN ACT

To enact Subpart C of Part V of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:291, relative to management of wild animals; to prohibit the intentional feeding of bears in the wild; to provide for penalties; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 706—

BY REPRESENTATIVE HEBERT
AN ACT

To repeal R.S. 22:81(2), relative to domestic insurance corporations; to repeal certain shareholder requirements for directors.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 744—

BY REPRESENTATIVES LANCASTER, BROOME, HAMMETT, AND
SALTER

AN ACT

To enact R.S. 44:22, relative to public records; to exempt certain records in the custody of the Department of Economic Development pertaining to negotiations relative to economic development activities from the laws relative to public records until negotiations are concluded; to provide for certain determinations by the secretary of the Department of Economic Development; to provide for notice; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 880—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:1522, relative to the Department of Revenue; to authorize the secretary to enter into contracts to conduct alternative dispute resolution to assist in the collection of any taxes, penalties, or interest due; to limit the total tax liability subject to arbitration or mediation to five million dollars;

to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1378—
BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 32:756(B), 771(22)(a)(i), 772(A)(1), 774(G)(1), and 780(B) and R.S. 36:4.1(D)(14) and to enact R.S. 32:771(22)(b)(vi) and 774.1, relative to used motor vehicle dealers; to provide for expiration of license of automotive dismantler and parts recycler; to provide for auctioning of used cars; to rename the Louisiana Used Motor Vehicle and Parts Commission to the Recreational and Used Motor Vehicle Commission; to provide relative to certain license fees; to create the rent with option-to-purchase program; to provide relative to certain penalties; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1388—
BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS HEITMEIER AND HINES

AN ACT

To amend and reenact R.S. 42:455(A)(2)(b), relative to payroll deductions; to provide payroll deductions for certain domestic companies; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1461—
BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 32:389(D)(2), relative to weights and standards stationary scale police; to provide relative to appointment of the panel that reviews citations issued by weights and standards stationary scale police officers; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1472—
BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 35:281, relative to the certain filings with the board of assessors in Orleans Parish; to require taxpayers to notify the board of change; and to provide for related matters.

The bill was read by title; lies over under the rules.

**Privilege Report of the
Legislative Bureau**

May 3, 2004

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 711—
BY REPRESENTATIVE BROOME
AN ACT

To amend and reenact R.S. 22:669(A)(4) and (B), relative to certain mandated insurance benefits for mental illness; to provide relative to payable benefits and reimbursement for certain services provided by a social worker; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lentini, the Bills and Joint Resolutions were read by title and passed to a third reading.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

May 3, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 153—
BY REPRESENTATIVE GALLOT
A CONCURRENT RESOLUTION

To commend Dr. Neari F. Warner upon her retirement as acting president of Grambling State University, to recognize and record her myriad accomplishments and her remarkable contributions to the university, and to extend to her the best wishes of the Legislature of Louisiana as she embarks upon new challenges and endeavors.

HOUSE CONCURRENT RESOLUTION NO. 156—
BY REPRESENTATIVE MURRAY
A CONCURRENT RESOLUTION

To commend Sandra Wheeler-Hester of New Orleans, recipient of the 2004 Trailblazer Award, for her work on behalf of Orleans Parish public school children.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Concurrent Resolutions

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 153—
BY REPRESENTATIVE GALLOT

A CONCURRENT RESOLUTION

To commend Dr. Neari F. Warner upon her retirement as acting president of Grambling State University, to recognize and record her myriad accomplishments and her remarkable contributions to the university, and to extend to her the best wishes of the Legislature of Louisiana as she embarks upon new challenges and endeavors.

The resolution was read by title. Senator Kostelka moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|--------------|-------------|
| Mr. President | Ellington | Lentini |
| Adley | Fields | Malone |
| Amedee | Fontenot | Marionneaux |
| Bajoie | Gautreaux, B | McPherson |
| Barham | Gautreaux, N | Michot |
| Boasso | Heitmeier | Mount |
| Boissiere | Holden | Nevers |
| Cain | Hollis | Schedler |
| Chaisson | Irons | Smith |
| Cravins | Jackson | Ullo |
| Duplessis | Jones | |
| Dupre | Kostelka | |
| Total—34 | | |

NAYS

Total—0

ABSENT

| | | |
|----------|---------|------------|
| Cheek | Hainkel | Theunissen |
| Dardenne | Romero | |
| Total—5 | | |

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 156—
BY REPRESENTATIVE MURRAY

A CONCURRENT RESOLUTION

To commend Sandra Wheeler-Hester of New Orleans, recipient of the 2004 Trailblazer Award, for her work on behalf of Orleans Parish public school children.

The resolution was read by title. Senator Irons moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|--------------|-------------|
| Mr. President | Ellington | Lentini |
| Adley | Fields | Malone |
| Amedee | Fontenot | Marionneaux |
| Bajoie | Gautreaux, B | McPherson |
| Barham | Gautreaux, N | Michot |
| Boissiere | Heitmeier | Mount |
| Cain | Holden | Nevers |
| Chaisson | Irons | Schedler |
| Cheek | Jackson | Smith |
| Duplessis | Jones | Ullo |
| Dupre | Kostelka | |
| Total—32 | | |

NAYS

Total—0

ABSENT

| | | |
|----------|---------|------------|
| Boasso | Hainkel | Theunissen |
| Cravins | Hollis | |
| Dardenne | Romero | |
| Total—7 | | |

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**House Bills and Joint Resolutions
on Second Reading to be Referred**

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

HOUSE BILL NO. 45—

BY REPRESENTATIVE MCVEA

AN ACT

To amend and reenact R.S. 9:2795.4(A)(3) and (F), relative to the limitation of liability for motorized off-road vehicle activities; to provide for definitions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 73—

BY REPRESENTATIVE PITRE

A JOINT RESOLUTION

Proposing to amend Article XIII, Section 2 of the Constitution of Louisiana, relative to constitutional conventions; to provide that the law calling for a constitutional convention may limit the matters to be considered by the constitutional convention; to provide relative to the effectiveness of certain proposals by a constitutional convention; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 189—

BY REPRESENTATIVES WINSTON, KATZ, LABRUZZO, WADDELL
AND BRUCE AND SENATOR BAJOE

AN ACT

To enact R.S. 45:844.12(4)(i) and (j), relative to telephone solicitation; to exempt calls from optometrists, dentists, and chiropractic physicians to their patients from definition of solicitation; to exempt calls from veterinarians to their clients from definition of solicitation; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

HOUSE BILL NO. 261—

BY REPRESENTATIVES FUTRELL, ARNOLD, BRUNEAU, GALLOT,
JEFFERSON, LANCASTER, MONTGOMERY, MURRAY, PITRE,
AND SMILEY

A JOINT RESOLUTION

Proposing to amend Article X, Sections 10(A)(2) and 48(A)(2) of the Constitution of Louisiana, relative to the eligibility for preference points for veterans for civil service and state police service; to provide eligibility for veterans who served for a certain period of continuous service on active duty after a certain date and have served honorably in the armed forces of the United States; to provide for eligibility for preference points in the state police service for service during wars declared by congress; to provide that certain war periods and armed conflicts for eligibility for preference points for veterans for state police service shall be as provided by law; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 272—

BY REPRESENTATIVES DURAND, THOMPSON, SALTER, JOHN SMITH, STRAIN, TOOMY, CURTIS, DOERGE, DORSEY, GRAY, E. GUILLORY, M. GUILLORY, KATZ, MARCHAND, McDONALD, STRAIN, WADDELL, WALKER, WINSTON, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BEARD, BROOME, BRUCE, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CROWE, DAMICO, DANIEL, DARTEZ, DEWITT, DOVE, DOWNS, ERDY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOT, GLOVER, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, JACKSON, JEFFERSON, KENNEY, LAFLEUR, MARTINY, MCVEA, MONTGOMERY, MURRAY, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, ST. GERMAIN, TOWNSEND, TRICHE, TUCKER, AND WRIGHT AND SENATORS BARHAM, HINES, JONES, MCPHERSON, AND SCHEDLER

AN ACT

To amend and reenact R.S. 36:801.1(A) and to enact R.S. 36:259(J) and Chapter 34 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2841 through 2846, relative to the Louisiana Emergency Response Network (LERN); to provide for statement of purpose; to provide for definitions; to provide for the creation of the Louisiana Emergency Response Network; to provide for the board and its membership, appointments, terms of office, vacancies, meetings, compensation, functions, powers, and duties; to provide for rules and regulations; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 277—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 39:100.1(C), relative to the Sports Facility Assistance Fund; to provide for the use of monies in the fund; to provide for monies in the fund to be appropriated to the FORE Kids Foundation, Inc.; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 308—

BY REPRESENTATIVES MORRISH, BOWLER, ERDEY, FAUCHEUX,
JACKSON, JOHNS, MCVEA, TUCKER, AND WALSWORTH

AN ACT

To enact R.S. 22:230.6, relative to health insurance; to authorize health insurers and health maintenance organizations to offer flexible health benefits policies, contracts, and agreements without state health insurance mandates or certain other requirements; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 319—

BY REPRESENTATIVE PINAC

AN ACT

To repeal R.S. 51:1422, relative to franchise agreements; to repeal provisions which do not require certain franchises to honor or accept reciprocal agreements.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

HOUSE BILL NO. 446—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:2074.1 and to enact R.S. 22:1078(B)(21) and 2074(B)(4), relative to risk retention groups; to provide for fees; to provide for revocation or suspension; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 466—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 49:327(B)(1)(d), relative to the investment of state funds; to provide for competitive bidding for time certificate of deposit and share accounts; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 467—

BY REPRESENTATIVES ALARIO AND HEATON
AN ACT

To amend and reenact R.S. 39:1366(4), relative to the duties of the state treasurer; to authorize the state treasurer to make certain payments; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 485—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 33:2621, relative to taxes on motor vehicles; to authorize the governing authority of a municipality or of a district created by it; to exempt motor vehicles owned by persons sixty-five years of age or older from general or special ad valorem taxes levied by the municipality or by a district created by it; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 531—

BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact R.S. 9:315.11, relative to the calculation of child support; to provide for the determination of a party's income earning potential; to provide for the imputation of income; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 593—

BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS HEITMEIER AND HINES
AN ACT

To amend and reenact R.S. 39:1537(6), relative to the risk management program; to eliminate the requirement for submission of a yearly cost comparison between commercial and self-insurance lines of coverage; to provide for inclusion of certain data comparisons in the annual report; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 635—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S.48:461.4(b)(3) and (4) and 461.26(B), relative to outdoor advertising; to provide relative to outdoor advertising along designated state parkways; to provide measurement requirements for placement of off-premise outdoor advertising signs along designated state parkways; to provide that certain signs shall not be placed in a stacked configuration; to provide relative to the maximum height of certain outdoor advertising signs; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 668—

BY REPRESENTATIVES MONTGOMERY AND DANIEL
AN ACT

To enact R.S. 30:148.1.1, relative to underground storage of hydrocarbons; to define reservoir; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Environmental Quality.

HOUSE BILL NO. 696—

BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS HEITMEIER AND HINES
AN ACT

To enact R.S. 39:71(D), relative to budget allotments; to provide for cash advances or seeds to state agencies; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 760—

BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:691.2(A), relative to standard insurance forms; to provide for fire insurance; to provide for standard provisions; to provide for the peril of fire; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 793—

BY REPRESENTATIVE DOVE
AN ACT

To enact R.S. 9:2800.14, relative to a limitation of civil liability; to provide for a limitation of liability for mold or mold damage; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 915—

BY REPRESENTATIVES BAYLOR AND K. CARTER
AN ACT

To amend and reenact R.S. 56:1687.1, relative to the office of state parks; to remove provisions relative to the posting of boundaries of certain lands under the jurisdiction of the office of state parks; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 1097—

BY REPRESENTATIVES WALKER AND ANSARDI
AN ACT

To amend and reenact R.S. 9:2798.4(A)(1), relative to liability of the state, a state agency, or political subdivision or any person for injuries sustained by an intoxicated operator of a motor vehicle,

aircraft, watercraft, or vessel; to provide for the blood alcohol level of the operator; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 1143—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:3515(A)(1)(a), relative to consumer loans; to provide for exemptions from prohibited acts at the locations where consumer loans are made; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

HOUSE BILL NO. 1145—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:3515(A)(1)(a), relative to consumer loans; to provide for exemptions from prohibited acts at the locations where consumer loans are made; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

HOUSE BILL NO. 1211—

BY REPRESENTATIVE SHEPHERD

AN ACT

To amend and reenact R.S. 22:215.14(A) and to enact R.S. 22:215.14(E), relative to health insurance; to provide that coverage of childhood immunizations shall not be subject to any deductible; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 1225—

BY REPRESENTATIVE M. POWELL

AN ACT

To amend and reenact R.S. 14:123(C)(4), relative to the crime of perjury; to clarify the penalty provisions for that crime; to provide that the penalty provisions for perjury committed "in all other cases" applies to perjury when committed in any civil action, or in any administrative proceeding, or in any legislative hearing or proceeding, or in any other legal proceeding; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 1285—

BY REPRESENTATIVES JEFFERSON, BROOME, BURNS, CURTIS, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, LABRUZZO, MCDONALD, AND STRAIN

AN ACT

To amend and reenact R.S. 40:1299.1(B), relative to testing of newborns; to require the Department of Health and Hospitals to

increase the number of tests required on newborns; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 1425—

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 39:198(F), relative to contracts for the Video Gaming Monitoring System; to authorize the Department of Public Safety and Corrections to enter into a multiyear contract for up to ten years for the monitoring of video draw poker devices as required by law; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 1439—

BY REPRESENTATIVES DOWNS AND SALTER

AN ACT

To amend and reenact R.S. 22:1194.2(A), relative to the Louisiana Consortium of Insurance and Financial Services; to provide for appointment of board members; to provide for legislative appointments; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 1478—

BY REPRESENTATIVES WHITE, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOUIN, BAYLOR, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, R. CARTER, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOT, GEYMAN, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, JEFFERSON, JOHNS, KATZ, LABRUZZO, LAFLEUR, LAMBERT, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MURRAY, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, SALTER, SCALISE, SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WINSTON, WOOTON, AND WRIGHT

AN ACT

To amend and reenact R.S. 51:2453(4) and to enact R.S. 51:2453(6) and 2460(C) and (D), relative to the Louisiana Quality Jobs Programs Act; to expand the definition of "new direct job" to include employees of a facility management contractor in certain instances; to provide for definitions; to provide for penalties; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 1500—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 37:698(A)(6), (9), and (10), (D)(2), (E), and (F), and (M) and 700(D)(2), (E), (F), (J), (L), (M), (N), (O), and (Q), to enact R.S. 37:698(A)(19) and 700(A)(9) and (10), and to repeal R.S. 37:698(O) and 700(P), relative to professional engineers and professional surveyors; to revise provisions relative to the disciplining of licensees and certificate holders and

enforcement proceedings against non-licensees and non-certificate holders; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

HOUSE BILL NO. 1557—

BY REPRESENTATIVE MARCHAND
AN ACT

To enact R.S. 51:1423, relative to unfair or deceptive acts or practices; to provide for boilers at commercial laundromats; to provide for minimum water temperature for hot water in washing machines at commercial laundromats; to provide for enforcement; to provide for rules and regulations; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**House Concurrent Resolutions
on Second Reading**

The following House Concurrent Resolutions were read and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 35—

BY REPRESENTATIVE HUTTER
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to authorize and direct that the United States Army Corps of Engineers close the Mississippi River Gulf Outlet, which has resulted in adverse environmental impacts to the Louisiana coast.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

HOUSE CONCURRENT RESOLUTION NO. 62—

BY REPRESENTATIVE ODINET
A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries and the Department of Health and Hospitals to study the correlation between nighttime water and air temperature and the development of *Vibrio vulnificus* in oysters harvested during those times.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 65—

BY REPRESENTATIVE ODINET
A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to study the development and implementation of a plan for the management of nuisance fish around oyster beds.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 110—

BY REPRESENTATIVES TUCKER, BEARD, BURNS, DOWNS, FANNIN, FUTRELL, M. GUILLORY, HUTTER, KATZ, LAMBERT, PITRE, M. POWELL, QUEZAIRE, AND SMILEY

A CONCURRENT RESOLUTION

To direct the House and Senate Transportation, Highways and Public Works Committees to meet and to function as a joint committee to study and make recommendations regarding the re-creation of the Department of Transportation and Development, including but not limited to recommendations regarding the elimination or consolidation of programs or activities which are inactive, unnecessary, or which duplicate other governmental entities, or the elimination of inefficient or ineffective programs, or programs which are inconsistent with the intent of re-creating the department, and to report the findings of the joint committee to the legislature and the Department of Transportation and Development no later than February 1, 2005.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON**REVENUE AND FISCAL AFFAIRS**

Senator Mount, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

May 3, 2004

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

HOUSE BILL NO. 501—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 51:1306(introductory paragraph), relative to the Tax Free Shopping Program; to eliminate the requirement that an international visitor show a foreign passport to a retailer at the time of purchase; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 506—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:301(13)(d), relative to the sales and use tax; to change the source of price data used to determine the sales price of refinery gas; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 898—

BY REPRESENTATIVES HAMMETT, ARNOLD, DOWNS,
FAUCHEUX, HILL, KENNEY, MONTGOMERY, ODINET,
RICHMOND, AND JANE SMITH

AN ACT

To amend and reenact R.S. 47:118(I)(introductory paragraph), relative to individual income tax; to provide the authority to waive the estimated income tax penalty in certain situations; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1123—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 47:1578(B)(3) and to enact R.S. 47:1578(C), (D), and (E), relative to the Department of Revenue; to provide for the release of any part of property subject to a recorded lien, privilege, mortgage, or other encumbrance when the state of Louisiana's interest in the part to be released has no value; to provide for the fees and costs associated with the cancellation or release of a lien, privilege, mortgage, or other encumbrance; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1341—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 47:1832(A), relative to the tax commission; to provide for the membership of such commission; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
WILLIE MOUNT
Chairperson

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

SENATE BILL NO. 4—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 38:2225.2, relative to public contracts; to prohibit the state and any state or local entity from using the "design-build" concept unless specifically authorized by law; to prohibit the state and any state or local entity from executing agreements to purchase unimproved property which agreement requires the successful design and construction of a structure prior to transfer of title unless specifically authorized by law; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Ellington, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 13—

BY SENATOR THEUNISSEN

AN ACT

To enact Chapter 9 of Title 2 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 2:1001 through 1005, relative to wireless communication facilities; to provide for notice of the proposed construction of and for the marking of such facilities; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 13 by Senator Theunissen

AMENDMENT NO. 1

On page 1, line 3, change "1005" to "1004"

AMENDMENT NO. 2

On page 1, line 8, change "1005" to "1004"

AMENDMENT NO. 3

On page 2, line 2, between "feet" and "shall" insert "but not more than two hundred feet"

AMENDMENT NO. 4

On page 2, delete lines 16 through 29 and on page 3, delete lines 1 through 4

AMENDMENT NO. 5

On page 3, line 5, change "1004" to "1003"

AMENDMENT NO. 6

On page 3, line 9, change "1005" to "1004"

On motion of Senator Ellington, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 45—

BY SENATOR SMITH

AN ACT

To enact R.S. 56:409, relative to wildlife and fisheries; to authorize the Saline Lake Game and Fish Preserve Commission, under the supervision of the Department of Wildlife and Fisheries, to place triploid grass carp in the lake; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 45 by Senator Smith

AMENDMENT NO. 1

On page 1, line 3, after "Commission," insert "and the Grant Parish Police Jury,"

AMENDMENT NO. 2

On page 1, line 4, replace "the lake" with "certain lakes"

AMENDMENT NO. 3

On page 1, line 9, after "Lake;" insert "Iatt Lake;"

AMENDMENT NO. 4

On page 1, line 10, before "Notwithstanding" insert "A."

AMENDMENT NO. 5

On page 1, line 12, delete "the lake" and insert "Saline Lake"

AMENDMENT NO. 6

On page 1, after line 15, insert "B. Notwithstanding any other provision of law to the contrary, the Grant Parish Police Jury may introduce triploid grass carp (*Ctenopharyngodon idella*) into Iatt Lake. This activity shall be done only under the direct supervision of the department and its biologists. All expenditures incurred in such activity shall be borne entirely by the Grant Parish Police Jury."

On motion of Senator Malone, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 141—

BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 33:4574.1 (A)(1)(a)(i) and (K), relative to municipalities and parishes; to provide for the allocation of funds derived from existing hotel/motel taxes currently levied by the Calcasieu Parish governing authority and collected from facilities located in Ward 2, 6 or 7 which become operational after July 1, 2004; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 141 by Senator Cain

AMENDMENT NO. 1

On page 2, line 10 change "2" to "5"

AMENDMENT NO. 2

On page 2, line 12 change "60%" to "55%"

AMENDMENT NO. 3

On page 2, line 15 after "athletic" insert the following: ", music, arts, and cultural"

AMENDMENT NO. 4

On page 2, between lines 15 and 16, insert the following: "(d) 5% payable to the Nibletts Bluff Park Commission to promote tourism to the park."

On motion of Senator Fields, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 152—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact the introductory paragraph of R.S. 32:387.7(A), 387.7(A)(3) and (B), and the introductory paragraph of R.S. 32:387.9, 387.9(3) and (5), and to enact R.S. 32:387.7(A)(5) and 387.9(6), relative to special permits; to provide for the issuance of special sugarcane and agronomic or horticultural permits to operators of vehicles; to provide for the specificity of such permits; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Ellington, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 194—

BY SENATOR FONTENOT AND REPRESENTATIVE WHITE

A JOINT RESOLUTION

Proposing to amend Article VIII, Section 13(D)(1) of the Constitution of Louisiana, to provide that for certain effects and purposes the Central community school system in East Baton Rouge Parish shall be regarded and treated as a parish and shall have the authority granted parishes, including the purposes of funding and the raising of certain local revenues for the support of elementary and secondary schools; to provide for submission of the proposed amendment to the electors; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported favorably by the Committee on Education. On motion of Senator Ullo, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 196—

BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 32:387(C)(3)(a)(ii), relative to weight and load of vehicles; to provide relative to special permits for vehicles which transport forestry products; to provide certain exceptions; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 196 by Senator Smith

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and on line 3, change "32:388(B)(1)(b)(iv)" to "R.S. 32:387(C)(3)(a)(ii)"

AMENDMENT NO. 2

On page 1, delete line 4, and insert "special permits for vehicles which transport forestry"

AMENDMENT NO. 3

On page 1, line 5, change "limitations under certain circumstances;" to "certain exceptions;"

AMENDMENT NO. 4

On page 1, line 8, after "Section 1." delete "The introductory paragraph of R.S. 32:388(B)(1)(a)" and insert "R.S. 32:387(C)(3)(a)(ii)"

AMENDMENT NO. 5

On page 1, delete line 9, and insert "reenacted to read as follows:"

AMENDMENT NO. 6

On page 1, delete lines 10 through 17, and on page 2, delete lines 1 through 9 and insert in lieu thereof the following:

"§387. Special permits

| | | | |
|----|---|---|---|
| | * | * | * |
| C. | * | * | * |
| | * | * | * |

(3)(a) In addition, upon application of the owner or operator of any vehicle or combination of vehicles transporting farm and forest products in their natural state, transporting seed cotton modules, transporting cotton seed from the gin to the mill, transporting raw sugar from the mill to the refinery, or transporting brewer's grain, the secretary shall issue special harvest season permits within forty-eight hours of application and payment of fee for the transportation of farm and forest products in their natural state, for the transportation of seed cotton modules, for the transportation of cotton seed from the gin to the mill, for the transportation of raw sugar from the mill to the refinery, or for the transportation of brewer's grain on any state-maintained highway except the interstate system for a total gross weight of eighty-six thousand six hundred pounds for any vehicle or combination of vehicles provided:

* * *

(ii) The total gross weight of any tandem axle shall not exceed thirty-seven thousand pounds, except as provided for vehicles carrying forest products in their natural state in R.S. 32:386(K)."

On motion of Senator Ellington, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 220—

BY SENATORS DARDENNE, ULLO, BARHAM, BOASSO, BOISSIERE, CRAVINS, DUPRE, B. GAUTREAUX, HAINKEL, MCPHERSON, MICHOT, ROMERO AND SCHEDLER

AN ACT

To enact R.S. 17:24.11, relative to programs of early childhood education; to establish and provide for a program of early childhood education provided by state-approved nonpublic schools at no cost to certain eligible students; to provide for the participation of schools; to provide for the eligibility and selection of students; to provide for administration of the program; to mandate participating schools meet certain requirements; to provide with regard to funding; to provide with regard to compliance; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 220 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 15, after "funding" insert "on behalf of an eligible student"

AMENDMENT NO. 2

On page 2, line 25, after "agency." insert "The parent or guardian shall agree to abide by the rules and requirements of the school."

AMENDMENT NO. 3

On page 3, line 5, change "the remaining" to "all"

AMENDMENT NO. 4

On page 3, line 16, after "time" delete the comma

AMENDMENT NO. 5

On page 3, line 26, change "the period" to "the time period specified"

AMENDMENT NO. 6

On page 3, line 27, delete "required"

AMENDMENT NO. 7

On page 5, delete lines 16 through 18 and insert the following: "(6) Professional development required by the administering agency for lead teachers and all other persons who provide program services directly to students in NP4 classes."

AMENDMENT NO. 8

On page 5, line 25, after "Provision for" insert "referrals for"

AMENDMENT NO. 9

On page 6, delete lines 18 through 22, and insert the following:

"(3) Coordinate support services with public and private social services agencies serving young children and their families to ensure that children's physical and emotional needs are met; allowing them to gain maximum benefit from the educational program."

AMENDMENT NO. 10

On page 6, line 24, change "system" to "public school system in which the school offering NP4 classes is located"

AMENDMENT NO. 11

On page 7, line 1, after "information" insert ", pertaining to NP4,"

AMENDMENT NO. 12

On page 7, line 3, change "any source" to "all sources"

AMENDMENT NO. 13

On page 7, line 13, change "to provide" to "of providing"

AMENDMENT NO. 14

On page 7, line 14, after "coordination services" delete the remainder of the line, delete line 15, and insert a period

AMENDMENT NO. 15

On page 8, line 11, after "photographs" change the comma to "and"

AMENDMENT NO. 16

On page 8, line 16, change "of the state" to "in the office of the governor"

AMENDMENT NO. 17

On page 9, line 1, after "(4)" delete "(a)"

AMENDMENT NO. 18

On page 9, delete lines 8 through 10

AMENDMENT NO. 19

On page 9, line 12, change "direct" to "providing program services directly"

AMENDMENT NO. 20

On page 9, line 13 change "contact with" to "to"

AMENDMENT NO. 21

On page 9, delete lines 14 through 21 and insert the following:

"I.(1) Out of funds appropriated by the legislature for such purposes from whatever source, the state shall provide an amount of money to pay the costs for each pupil enrolled in an NP 4 class that is equal to the per pupil amount provided to nonpublic pre-kindergarten programs in the 2003-2004 school year. In no case shall the total amount expended for all NP 4 classes exceed such per pupil amount times one thousand, five hundred pupils."

AMENDMENT NO. 22

On page 9, line 26, change "quarterly" to "monthly"

AMENDMENT NO. 23

On page 10, delete lines 1 through 6 and insert the following:

"(4)(a) At any time a school is found to be in noncompliance with the law or the rules, they shall be notified in writing by the administering agency which notice shall contain a deadline by which compliance shall be required.

(b) The administering agency shall follow-up with the school to ascertain that corrective action is being taken.

(c) In the event that compliance has not occurred by the established deadline, payment to the school shall be stopped. The school will be notified in writing that the school will no longer be eligible to participate, and the parents and guardians of children attending NP4 classes in such school shall be notified in writing and given information regarding alternative school options."

AMENDMENT NO. 24

On page 10, line 17, after "funded in the" insert "following"

AMENDMENT NO. 25

On page 10, line 18, delete "as provided in this Paragraph"

On motion of Senator Ullo, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 224—

BY SENATOR MALONE

AN ACT

To enact R.S. 17:3048.1(M), relative to the Louisiana Tuition Opportunity Program; to provide that any TOPS award granted to a student shall be credited against educational expenses in a specific order; to provide that cost of any housing, meal plan, books, dues or other fees shall be credited first prior to the cost of tuition; to provide for exceptions; and to provide for related matters.

Reported favorably by the Committee on Education. On motion of Senator Ullo, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 289—

BY SENATORS BOISSIERE, LENTINI AND ULLO, AND REPRESENTATIVES ANSARDI, DAMICO AND LANCASTER
AN ACT

To amend and reenact R.S. 38:2212(C)(2)(a), relative to public work; to require public entities to transmit addendum to bids for contracts for such work exceeding the contract limit by certain means; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Ellington, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 311—

BY SENATOR FONTENOT AND REPRESENTATIVE WHITE
AN ACT

To enact R.S. 17:58.2(H), 65, and 65.1, relative to the Central community school system; to provide for the school system, including its establishment and boundaries; to provide for the school board and an interim board of control; to provide for board membership, apportionment, qualifications, method of selection, terms of office, filling of vacancies, compensation, expenses, powers, duties, and responsibilities; to provide relative to facilities and property; to provide for the reapportionment of the East Baton Rouge Parish School Board; to provide for effectiveness and for implementation; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 311 by Senator Fontenot and Representative White

AMENDMENT NO. 1

On page 3, line 15, after "along" delete "a line 400 feet north of and parallel to"

AMENDMENT NO. 2

On page 3, line 16, after "64" insert the following: "until a point four hundred feet east of Deer Creek Drive; thence proceed in a northerly direction four hundred feet along a line parallel to Deer Creek Drive; thence proceed in an easterly direction along a line four hundred feet north of and parallel to the northern boundary of Louisiana Highway 64"

AMENDMENT NO. 3

On page 5, line 9, after "F." delete "(1)"

AMENDMENT NO. 4

On page 5, line 10, change "2007" to "2006" and delete the remainder of line 10 and lines 11 through 15, in their entirety

AMENDMENT NO. 5

On page 5, delete line 29

AMENDMENT NO. 6

On page 6, delete lines 1 through 8, in their entirety

On motion of Senator Ullo, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 346—

BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 34:2471(A)(1)(d), (3)(d), (6), and (7), 2473(B)(3) and (F), and 2474(B), and to enact R.S. 34:2471(A)(8), 2472(D), 2476.1, 2476.2, and 2476.3, relative to the Port of South Louisiana, to provide for the membership, powers, duties, and functions of the Port of South Louisiana Commission; to provide relative to contracts for professional services; to provide for the authority to issue bonds; to provide for economic and industrial development functions; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 346 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 6, after "bonds" insert "and levy taxes"

AMENDMENT NO. 2

On page 2, line 9, change "Parishes" to "Region"

AMENDMENT NO. 3

On page 2, line 18, change "Parishes" to "Region"

AMENDMENT NO. 4

On page 4, at the end of line 10, after "bonds" insert "and levy taxes"

AMENDMENT NO. 5

On page 4, line 12, after "B." insert the following: "The commission shall have authority, subject to the approval of the State Bond Commission, when authorized to do so by a vote of a majority of the electors in the boundaries of the port area who vote thereon at an election for that purpose in accordance with law, to levy annually on all property situated within the port area, subject to taxation, an ad valorem tax not to exceed three mills on the dollar. The revenues from said tax shall constitute revenue of the port which may be pledged to the payment of its negotiable bonds or other matters."

On motion of Senator Ellington, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 356—

BY SENATOR CHEEK

AN ACT

To enact R.S. 33:2711.15(G), relative to local sales and use taxes; to provide for the renewal of certain additional sales and use taxes imposed by the city of Shreveport for use by the fire and police departments; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 356 by Senator Cheek

AMENDMENT NO. 1

On page 1, delete line 2 and insert "To amend and reenact R.S. 33:2711.15(A), (C)(1), (C)(2), the introductory paragraph of (C)(3), and (C)(4) and to enact R.S. 33:2711.15(F), relative to local sales and use taxes; to provide for renewal"

AMENDMENT NO. 2

On page 1, delete line 7 and insert "Section 1. R.S. 33:2711.15(A), (C)(1), (C)(2), the introductory paragraph of (C)(3), and (C)(4) are hereby amended and reenacted and R.S. 33:2711.15(F) is hereby enacted to read as follows:"

AMENDMENT NO. 3

On page 1, delete line 9 and insert the following:

"A. The governing authority of the city of Shreveport may levy and collect an additional sales and use tax not in excess of one-quarter of one percent within the corporate limits of the city for a an initial term not to exceed four years from and after the date such additional tax is first levied, and for such additional terms as provided for in Subsection (F) of this Section, all as provided for in this Section.

* * *

C.(1) Such sales and use tax shall be imposed by ordinance of the governing authority of the city and shall be levied upon the sale at retail, the use, lease, or rental, the consumption, and the storage for use or consumption of tangible personal property and on sales of services, all as defined in Chapter 2 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, within the corporate limits of the city of Shreveport for a an initial term not to exceed four years from and after the date such additional tax is first levied, and for such additional terms as provided for in Subsection (F) of this Section, all as provided for in this Section.

(2) However, the ordinance imposing the tax for each term shall be adopted only if the question of the imposition of the tax is approved by a majority of the qualified electors voting on the proposition at an election held for that purpose and conducted in accordance with the Louisiana Election Code at the same time as the general election to be held on November 5, 2002.

(3) The governing authority of the city of Shreveport may call the election and submit a proposition to the voters for the levy of the tax for each of the terms provided for in Subsection (F) of this Section only after it has adopted a plan or plans, by resolution or ordinance, specifying the purposes for which the additional sales and use tax will be used. Any such plan shall include:

* * *

(4)(a) If the imposition of the tax is not approved by a majority of such electors at ~~the any~~ election provided for in ~~Paragraph (2) of this Subsection~~ this Section, then the provisions of this Section shall be null and void and the tax herein shall not be levied or collected.

(b) If the tax is approved it shall be levied for ~~a term~~ the initial term and for subsequent terms which shall not to exceed ~~four~~ years from and after the date such tax is first levied the terms provided for in Subsection (F) of this Section and shall not be levied thereafter.

* * *

AMENDMENT NO. 4

On page 1, delete lines 10 through 17 and on page 2, delete lines 1 through 6 and insert the following:

"R.S. 33:2711.15(F) is all proposed new law.

F. (1) Any tax imposed under the provisions of this Section may be renewed after its initial term but such renewal shall be for a term not to exceed six years from and after the date such tax is renewed, and thereafter for terms not to exceed five years each from and after the date such tax is renewed.

(2) The ordinance imposing the renewed tax shall be adopted only if the question of the imposition of the renewal is approved by a majority of the qualified electors voting on the proposition at an election held for that purpose and conducted in accordance with the Louisiana Election Code in 2006 prior to the expiration of the initial term of the original tax imposed under this Section.

(3) If the imposition of the renewal is not approved by a majority of such electors at the election provided for in Paragraph (2) of this Subsection, then the provisions of this Subsection shall be null and void and the renewal of the tax herein shall not be levied or collected."

On motion of Senator Fields, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 432—
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 23:1141(B) and 1143(B)(1), relative to workers' compensation; to provide with respect to attorney fees in workers' compensation matters; and to provide for related matters.

Reported favorably by the Committee on Labor and Industrial Relations. On motion of Senator Holden, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 494—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 56:320(A)(1) and (C)(1), relative to methods of taking saltwater fish; to authorize the use of multi-pronged barbed gigs for taking flounder in salt water; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 494 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 56:" insert "302(A)(3) and,"

AMENDMENT NO. 2

On page 1, line 6, after "R.S. 56:" insert "302(A)(3) and"

AMENDMENT NO. 3

On page 1, between lines 7 and 8 insert the following:

"§302. Recreational fishing license; recreational gear

A. A recreational fisherman must purchase a basic recreational fishing license to use the following gear or to possess fish on the fishing grounds which have been caught for recreational purposes:

* * *

(3) A barbless spear, or a multi-pronged barbed gig

* * *

AMENDMENT NO. 4

On page 1, delete lines 15 and 16 in their entirety and insert: "drums, recreational tires, and recreational cans, and by no other means except a barbless spear or a multi-pronged barbed gig that may be used in salt water for taking"

AMENDMENT NO. 5

On page 2, delete lines 13 and 14 in their entirety and insert:

"capable of producing an electric current used in shocking said fish; except a barbless spear or a multi-pronged barbed gig that may be used in salt water for taking"

On motion of Senator Malone, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 556—
BY SENATOR DUPRE

AN ACT

To enact R.S. 32:672 through 674, relative to the Department of Public Safety and Corrections; to require the Department of Public Safety and Corrections, office of motor vehicles, to establish and maintain the impaired driver tracking system; to provide for legislative intent; to require certain agencies to provide information regarding the arrest, prosecution, conviction, and disposition of persons arrested for certain driving offenses; to provide for the exchange of that information between agencies; to direct the Louisiana State Law Institute to redesignate certain provisions of current law; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 556 by Senator Dupre

AMENDMENT NO. 1

On page 2, delete lines 12 through 16 and insert in lieu thereof the following: "Pursuant to the mandates contained in R.S. 15:1228, et

seq., the Department of Public Safety and Corrections shall establish and maintain an impaired driver tracking system as part of its participation in the Integrated Criminal Justice Information System (ICJIS). Such tracking system shall provide accurate, complete, and reliable information regarding the arrest of each impaired driver and the disposition, of each case, including information on prosecution, dismissal, conviction, disposition, or completion of the sentence for a violation of the following offenses:"

AMENDMENT NO. 2

On page 4, delete lines 21 through 25, and insert the following:

"Section 4. In order to provide the most efficient mechanism by which the information provided for in this Act may be collected, stored, accessed, and disseminated, the provisions of this Act shall become effective on the first day of the second month following receipt by the Department of Public Safety and Corrections and the Louisiana Law Institute of written notice from the Louisiana Commission on Law Enforcement and Administration of Criminal Justice, office of the governor, of the successful completion and implementation of the Integrated Criminal Justice Information System (ICJIS) Project."

On motion of Senator Ellington, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 576—

BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 33:2561.1, relative to municipal and parish fire and police civil service; to provide for awarding attorney fees in civil service board appeals by municipal fire and police classified civil service employees regarding disciplinary actions in certain circumstances; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 641—

BY SENATOR MALONE

AN ACT

To enact R.S. 17:1682(H) and 1682.2, relative to scholarships for disabled firefighters and their spouses; to provide for definitions; to provide for scholarship requirements; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 641 by Senator Malone

AMENDMENT NO. 1

On page 2, line 2, delete "Any " and insert "The" and after "firefighter" insert "who is"

AMENDMENT NO. 2

On page 2, line 3, delete "as such, which " and insert "and the"

AMENDMENT NO. 3

On page 2, line 7, after "charges" delete ",as" and insert ". As"

AMENDMENT NO. 4

On page 2, line 10, after "student" insert "such spouse shall receive the exemption"

AMENDMENT NO. 5

On page 2, line 28, change "child" to "firefighter"

On motion of Senator Ullo, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 739—

BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 27:93(A)(1) and R.S. 46:4, and to enact R.S. 27:93(A)(9), relative to the Louisiana Riverboat Economic Development and Gaming Control Act; to provide with respect to admission fees for riverboats in East Baton Rouge Parish; to provide for allocation of funds derived from additional riverboat boarding fees; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 749—

BY SENATOR CAIN AND REPRESENTATIVE JOHN SMITH

AN ACT

To amend and reenact R.S. 47:302.5, relative to sales tax proceeds; to provide for the distribution of certain state tax proceeds in Vernon Parish; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 749 by Senator Cain

AMENDMENT NO. 1

On page 3, line 16, delete "firemen and" and after "officers" insert "and tourism related activity"

On motion of Senator Fields, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 756—

BY SENATOR JONES

AN ACT

To enact R.S. 46:1053(C)(2)(e), relative to the Madison Parish Hospital Service District; to authorize per diem for the members of the board of commissioners; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 757—
BY SENATOR JONES

AN ACT

To enact R.S. 33:2862.1, relative to adjudicated property in the city of Monroe; to provide with respect to the procedure for taking possession of adjudicated property; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 758—
BY SENATOR JONES

AN ACT

To enact R.S. 33:2711.20, relative to municipal sales and use taxes; to authorize the governing authority of the city of Monroe to levy and collect an additional sales and use tax; to provide for voter approval; to provide for a termination date of such authority; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 761—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact Subsection M(1) of Section 2.1 of Act No. 180 of the 1984 Regular Session of the Legislature, as amended by Act 562 of the 2003 Regular Session of the Legislature, relative to the St. Tammany Parish Hospital Service Districts No. 1 and 2; to require the board of commissioners of St. Tammany Parish Hospital Service District No. 2 to appoint an advisory committee; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 772—
BY SENATOR MALONE

AN ACT

To enact R.S. 17:85.6, relative to naming an auditorium; to authorize the parish school board in certain parishes to name an auditorium in honor of a former educator and principal; to provide limitations; and to provide for related matters.

Reported favorably by the Committee on Education. On motion of Senator Ullo, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 789—
BY SENATOR MALONE

AN ACT

To amend and reenact R.S. 30:148.2(A)(2), relative to lease and storage of natural gas, oil, and liquid hydrocarbons in reservoirs and salt dome caverns; to define "reservoir"; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. On motion of Senator Malone, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 794—
BY SENATOR MICHOT

AN ACT

To enact R.S. 33:2711(A)(1)(c), relative to tax authorization within municipalities with voter approval; to provide with respect to certain limitations imposed on parishes and parish school boards; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 800—
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 37:2175.2(C) and to enact R.S. 37:2171.2 relative to contractors; to provide for requirements for issuance of local building permits; to provide for additional requirements for home improvement contractors; and to provide for related matters.

Reported favorably by the Committee on Labor and Industrial Relations. On motion of Senator Holden, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 801—
BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 47:337.3 and to enact R.S. 33:2737.77, relative to authorizing political subdivision sales and use tax; to authorize such political subdivisions, with voter approval, to renew or continue any such tax; to provide for the purposes for which such tax proceeds may be used; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 864—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 33:3815.2(E), relative to powers of waterworks districts; to provide relative to a waterworks district of one parish supplying water to or taking water from an adjoining parish; to provide certain terms, procedures, and conditions; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following House Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE BILL NO. 203—

BY REPRESENTATIVE FRITH
AN ACT

To authorize and provide for the transfer of certain state property in Vermilion Parish to the Vermilion Parish Police Jury; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 327—

BY REPRESENTATIVE DURAND
AN ACT

To authorize and provide for the transfer of certain state property situated in St. Martin Parish to the respective lessees; to provide for certain terms and conditions; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 637—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To authorize and provide for the transfer of certain state property in Sabine Parish to the Department of Transportation and Development; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Reengrossed House Bill No. 637 by Representative Quezaire

AMENDMENT NO. 1

On page 1, line 5, change “secretary of the Department of Transportation and Development” to “commissioner of administration”

AMENDMENT NO. 2

On page 1, line 8, after “property” insert “, together with all improvements thereon,”

AMENDMENT NO. 3

On page 2, line 9, change “secretary of the Department of Transportation and Development” to “commissioner of administration”

On motion of Senator Malone, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 657—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To authorize and provide for the transfer of certain state property in Assumption Parish to the Assumption Parish Police Jury; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Reengrossed House Bill No. 657 by Representative Quezaire

AMENDMENT NO. 1

On page 1, line 10 after “land” insert “, together with all improvements thereon,”

On motion of Senator Malone, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 914—

BY REPRESENTATIVE MCVEA
AN ACT

To authorize and provide for the exchange of certain state property in West Feliciana Parish to West Feliciana Parish Police Jury; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 944—

BY REPRESENTATIVES SCALISE, BOWLER, ALARIO, ANSARDI, BRUNEAU, LABRUZZO, LANCASTER, MARTINY, AND WOOTON AND SENATORS BOISSIERE, HEITMEIER, HOLLIS, LENTINI, AND ULLO

AN ACT

To enact R.S. 33:4570.12, relative to naming of public grounds; to name a portion of LaSalle Park in Jefferson Parish as the Oswald-Dubea Arboretum and Nature Center of LaSalle Park; to provide for an exemption from R.S. 14:316; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

Motion to Recommit

Senator Duplessis asked for and obtained a suspension of the rules and recommitted Senate Concurrent Resolution No. 44 from the Committee on Judiciary B to the Committee on Commerce, Consumer Protection and International Affairs.

Rules Suspended

Senator Cain asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 541 from the Committee on Insurance.

SENATE BILL NO. 541—
BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 22:680 (1)(a)(i), relative to uninsured motorist coverage; and to provide for related matters.

On motion of Senator Cain, the bill was read by title and withdrawn from the files of the Senate.

Rules Suspended

Senator Cravins asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 1276 from the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 1276—

BY REPRESENTATIVES MONTGOMERY, HUNTER, MARTINY,
AND MURRAY AND SENATORS MOUNT, CRAVINS, JONES, AND
LENTINI

AN ACT

To amend and reenact R.S. 15:1202(A)(introductory paragraph) and 1204.1(A) and (B)(1), R.S. 36:401(B)(1) and (2) and (C)(1), 402,405(A)(1)(introductory paragraph) and (c) and (2), (B), and (C), 406(A), (B)(3), and (C), 407(B) and (C), and 408(G)(1) and (H), R.S. 39:21.3(D), and R.S. 46:2602(B)(3) and to enact R.S. 15:1202(A)(27), 1228.2(10), and 1228.3(14) and R.S. 36:405(D) and 406(B)(4), relative to the reorganization of the Department of Public Safety and Corrections; to create youth services as an organizational unit of the department; to provide for the composition and officers of youth services; to provide for creation of the office of management and finance for youth services; to place the office of youth development within youth services; to provide for the powers, duties, functions, and responsibilities of department officers; to provide for office functions; to provide relative to membership and functions of related boards, commissions, and like entities; to provide for implementation; to provide for effective dates; and to provide for related matters.

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Cravins to Reengrossed House Bill No. 1276 by Representative Montgomery (Duplicate of Senate Bill No. 486)

AMENDMENT NO. 1

On page 13, line 8, immediately after "Corrections" delete the comma "," and delete line 9 in its entirety and on line 10, delete "Children's Code,"

AMENDMENT NO. 2

On page 13, delete lines 27 and 28, in their entirety and insert in lieu thereof the following: "Department of Public Safety and Corrections are transferred to the"

AMENDMENT NO. 3

On page 14, line 5, between "services" and "of" insert the following:

", and, if appointed as authorized in Paragraph (3) of this Subsection, the undersecretary for youth services"

AMENDMENT NO. 4

On page 14, line 8, change "shall" to "may"

AMENDMENT NO. 5

On page 14, line 17, after "entities." delete the remainder of the line and delete lines 18 through 21 in their entirety and insert in lieu thereof the following: "The plan shall be completed as"

AMENDMENT NO. 6

On page 14, line 22, after "office" change the period "." to a comma "," and add the following: "which date shall be no later than July 1, 2004."

AMENDMENT NO. 7

On page 14, line 23, between "governor" and "the commissioner" delete the comma "," and insert "and"

AMENDMENT NO. 8

On page 14, delete line 24, in its entirety and insert in lieu thereof the following: "of administration and copies shall be"

AMENDMENT NO. 9

On page 14, line 26, immediately after "governor" add a period "." and delete the remainder of the line and on line 27, delete "Committee on the Budget."

AMENDMENT NO. 10

On page 15, line 1, immediately after "governor" add a period "." and delete the remainder of the line and delete line 2 in its entirety.

AMENDMENT NO. 11

On page 15, line 4, after "provided in" delete the remainder of the line and insert in lieu thereof the following: "this Act at any time after the effective date of this Act."

On motion of Senator Cravins, the amendments were adopted.

Under the provisions of Joint Rule No. 5, the amended bill, which is a duplicate of Senate Bill No. 486, was read by title and referred to the Legislative Bureau.

Rules Suspended

Senator Smith asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 478 from the Committee on Agriculture, Forestry, Aquaculture and Rural Development.

HOUSE BILL NO. 478—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 3:4602(1) and (13), 4623(A), 4671, and 4684, to enact R.S. 3:4602(1.1), (12.2), (13.1), and (14.1), and to repeal R.S. 3:4672(G), 4674, 4676, 4677, 4687, and 4688, relative to the regulation of devices for weighing and measuring petroleum products; to exempt petroleum for specified uses from certain fees; to provide relative to penalties for violations of petroleum weights and measures regulations; to repeal

regulations applicable to gasoline blended with ethanol or methanol; and to provide for related matters.

On motion of Senator Smith, the bill which is a duplicate of Senate Bill No. 198, was read by title and lies over under the rules.

Reconsideration

On motion of Senator Nevers, pursuant to the previous notice given, the vote by which the following bill failed to pass on Thursday, April 29, 2004 was reconsidered.

SENATE BILL NO. 322—

BY SENATOR NEVERS

A JOINT RESOLUTION

Proposing to amend Article VII, Section 20 of the Constitution of Louisiana, relative to homestead exemption; to provide for an exemption for newly constructed residences owned and occupied by certain persons; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

On motion of Senator Nevers, the bill was read by title and returned to the Calendar, subject to call.

Senator Hainkel in the Chair

Senate Concurrent Resolutions Returned from the House of Representatives with Amendments

The following Senate Concurrent Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 33—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To express the preference of the Louisiana Legislature to fully fund the Louisiana Senior Prescription Program in the governor's office of elderly affairs.

The resolution was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original Senate Concurrent Resolution No. 33 by Senator Hines

AMENDMENT NO. 1

On page 1, line 15, after "budget" delete "calls for a reduction in funding of" and insert "does not fully fund"

Senator Hines moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|--------------|-------------|
| Mr. President | Ellington | Lentini |
| Adley | Fields | Malone |
| Amedee | Fontenot | Marionneaux |
| Bajoie | Gautreaux, B | McPherson |
| Barham | Gautreaux, N | Michot |
| Boissiere | Hainkel | Mount |
| Cain | Heitmeier | Nevers |
| Chaisson | Holden | Schedler |
| Cheek | Hollis | Smith |
| Cravins | Irons | Theunissen |
| Dardenne | Jackson | Ullo |
| Duplessis | Jones | |
| Dupre | Kostelka | |
| Total—37 | | |

NAYS

Total—0

ABSENT

| | |
|---------|--------|
| Boasso | Romero |
| Total—2 | |

The Chair declared the amendments proposed by the House were concurred in. Senator Hines moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Senate Concurrent Resolutions on Second Reading Reported by Committees

The following Senate Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 75—

BY SENATORS N. GAUTREAU, AMEDEE, BOASSO, CHAISSON, DUPRE, B. GAUTREAU, HAINKEL, MCPHERSON, MOUNT, ROMERO, SCHEDLER AND THEUNISSEN

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to authorize and fund the establishment of the Coastal Forest Reserve Program, and to urge the United States Department of Agriculture Forest Service, the Louisiana Department of Agriculture and Forestry, and the Louisiana State University School of Renewable Natural Resources, with the assistance from the University of Louisiana at Lafayette and other Louisiana universities, to provide an inventory and assessment of coastal forests.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Concurrent Resolution No. 75 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 2, line 17, after "with" delete "the"

AMENDMENT NO. 2

On page 2, line 19, after "values" delete "assessed"

On motion of Senator Malone, the committee amendment was adopted.

The resolution was read by title. Senator N. Gautreaux moved to adopt the amended Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|--------------|-------------|
| Mr. President | Dupre | Lentini |
| Adley | Ellington | Malone |
| Amedee | Fields | Marionneaux |
| Bajoie | Fontenot | McPherson |
| Barham | Gautreaux, B | Michot |
| Boasso | Gautreaux, N | Mount |
| Boissiere | Heitmeier | Nevers |
| Cain | Holden | Schedler |
| Chaisson | Hollis | Smith |
| Cheek | Irons | Theunissen |
| Cravins | Jackson | Ullo |
| Dardenne | Jones | |
| Duplessis | Kostelka | |
| Total—37 | | |

NAYS

Total—0

ABSENT

| | |
|---------|--------|
| Hainkel | Romero |
| Total—2 | |

The Chair declared the Senate had adopted the amended Senate Concurrent Resolution and ordered it engrossed and sent to the House.

Mr. President in the Chair

**Senate Bills and Joint Resolutions on
Third Reading
and Final Passage**

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

**SENATE BILL NO. 370—
BY SENATOR LENTINI**

AN ACT

To amend and reenact the introductory paragraphs of R.S. 40:1299.39.1(A)(4) and (C)(1) and the introductory paragraphs of R.S. 40:1299.47(A)(4) and (C), relative to medical review panels; to provide for the appointment of the attorney member of such panel; to authorize such appointment by the plaintiff

attorney under certain circumstances; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 370 by Senator Lentini

AMENDMENT NO. 1

On page 3, line 5, following "1299" and before "(A)(1)(c)" insert ".47"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Lentini moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|--------------|-------------|
| Mr. President | Dupre | Kostelka |
| Adley | Ellington | Lentini |
| Amedee | Fields | Malone |
| Bajoie | Fontenot | Marionneaux |
| Barham | Gautreaux, B | McPherson |
| Boasso | Gautreaux, N | Michot |
| Boissiere | Hainkel | Mount |
| Cain | Heitmeier | Nevers |
| Chaisson | Holden | Schedler |
| Cheek | Hollis | Smith |
| Cravins | Irons | Theunissen |
| Dardenne | Jackson | Ullo |
| Duplessis | Jones | |
| Total—38 | | |

NAYS

Total—0

ABSENT

Romero
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 562—
BY SENATOR FONTENOT**

AN ACT

To amend and reenact R.S. 40:31.32(D) and to enact R.S. 40:1154(C), relative to installers and maintenance providers of onsite treatment systems; to require a biennial license and fee; to provide qualifications and requirements for such licenses; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 581—

BY SENATOR SCHEDLER

AN ACT

To enact Civil Code Art. 2713(C), relative to obligations of the lessee; to provide relative to eviction; to provide relative to failure to comply with a order of eviction; to require lessee to pay court costs in such instances; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|--------------|-------------|
| Mr. President | Dupre | Kostelka |
| Adley | Ellington | Lentini |
| Amedee | Fields | Malone |
| Bajoie | Fontenot | Marionneaux |
| Barham | Gautreaux, B | McPherson |
| Boasso | Gautreaux, N | Michot |
| Boissiere | Hainkel | Mount |
| Cain | Heitmeier | Nevers |
| Chaisson | Holden | Schedler |
| Cheek | Hollis | Smith |
| Cravins | Irons | Theunissen |
| Dardenne | Jackson | Ullo |
| Duplessis | Jones | |
| Total—38 | | |

NAYS

Total—0

ABSENT

Romero
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 609—

BY SENATORS BAJOIE AND HOLDEN

AN ACT

To amend and reenact Ch.C. Art. 610(B)(8) and (D) and to enact Ch.C. Art. 610(B)(9), relative to child abuse reporting; to require that additional information be included in child abuse reports; to require the Department of Social Services to provide an optional written form for mandatory reporting; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Bajoie moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|--------------|-------------|
| Mr. President | Dupre | Kostelka |
| Adley | Ellington | Lentini |
| Amedee | Fields | Malone |
| Bajoie | Fontenot | Marionneaux |
| Barham | Gautreaux, B | McPherson |
| Boasso | Gautreaux, N | Michot |
| Boissiere | Hainkel | Mount |
| Cain | Heitmeier | Nevers |
| Chaisson | Holden | Schedler |
| Cheek | Hollis | Smith |
| Cravins | Irons | Theunissen |
| Dardenne | Jackson | Ullo |
| Duplessis | Jones | |
| Total—38 | | |

NAYS

Total—0

ABSENT

Romero
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Bajoie moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 616—

BY SENATOR CHAISSON

AN ACT

To amend and reenact the introductory paragraph of R.S. 27:306(A)(4)(c)(vi) and to enact R.S. 27:306(A)(7)(b) and (c), relative to the Video Draw Poker Devices Control Law; to provide for qualified truck stop facilities; to provide for calculation of monthly fuel sales average for device number determinations at truck stops; to provide for exceptions; and to provide for related matters.

Floor Amendments Sent Up

Senator Chaisson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Engrossed Senate Bill No. 616 by Senator Chaisson

AMENDMENT NO. 1

On page 2, line 3, after "**time**" and before "**following**" insert "**, as determined by the division**"

AMENDMENT NO. 2

On page 2, delete lines 6 through 12

AMENDMENT NO. 3

On page 1, line 3, delete "and (c)" and on line 9, change "and (c) are" to "is"

AMENDMENT NO. 4

On page 2, line 14, change "(c)" to "(b)" and delete the remainder of the line and insert "If"

AMENDMENT NO. 5

On page 2, line 22, after "truck stop facility" insert "as determined by the division"

AMENDMENT NO. 6

On page 2, at the end of line 24, delete "for a period of up to twelve months" and insert in lieu thereof "prior to the"

AMENDMENT NO. 7

On page 2, line 25, delete "following the" and after "sales." insert the following: "Upon resolution of the reasons causing the reduction in fuel sales, the division shall use the next three months of monthly fuel sales reports to determine the number of devices authorized to be placed and operated at the facility."

On motion of Senator Chaisson, the amendments were adopted.

Floor Amendments Sent Up

Senator Ullo sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ullo to Engrossed Senate Bill No. 616 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 13, after "facility" insert "**located within one thousand feet of an interstate highway exit.**"

On motion of Senator Ullo, the amendments were adopted.

The bill was read by title. Senator Chaisson moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|--------------|-------------|
| Mr. President | Dupre | Jackson |
| Adley | Ellington | Jones |
| Amedee | Fields | Lentini |
| Bajoie | Fontenot | Malone |
| Boasso | Gautreaux, B | Marionneaux |
| Boissiere | Gautreaux, N | McPherson |
| Chaisson | Hainkel | Mount |
| Cheek | Heitmeier | Schedler |
| Cravins | Holden | Theunissen |
| Dardenne | Hollis | Ullo |
| Duplessis | Irons | |

Total—32

NAYS

| | | |
|--------|----------|--------|
| Barham | Kostelka | Nevers |
| Cain | Michot | Smith |

Total—6

ABSENT

Romero

Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 628—

BY SENATORS BAJOIE AND HOLDEN

AN ACT

To amend and reenact Ch.C. Art. 611(A), relative to child abuse reporting and investigation; to limit liability against persons who report child abuse under certain circumstances; and to provide for related matters.

The bill was read by title. Senator Bajoie moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|--------------|-------------|
| Mr. President | Ellington | Lentini |
| Adley | Fields | Malone |
| Amedee | Fontenot | Marionneaux |
| Bajoie | Gautreaux, B | McPherson |
| Barham | Gautreaux, N | Michot |
| Boasso | Hainkel | Mount |
| Boissiere | Heitmeier | Nevers |
| Cain | Holden | Schedler |
| Cheek | Hollis | Smith |
| Cravins | Irons | Theunissen |
| Dardenne | Jackson | Ullo |
| Duplessis | Jones | |
| Dupre | Kostelka | |

Total—37

NAYS

Total—0

ABSENT

| | |
|----------|--------|
| Chaisson | Romero |
|----------|--------|

Total—2

The Chair declared the bill was passed. The title was read and adopted. Senator Bajoie moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 633—

BY SENATORS KOSTELKA AND SCHEDLER
AN ACT

To enact R.S. 14:75, relative to nonpayment of child support obligations; to enact the Deadbeat Parents Punishment Act of Louisiana; to create the crime of failure to pay legal child support obligation; to provide for presumptions; to provide for penalties; to provide for restitution; to provide for venue; to provide for definitions; and to provide for related matters.

Floor Amendments Sent Up

Senator Kostelka sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Kostelka to Engrossed Senate Bill No. 633 by Senator Kostelka

AMENDMENT NO. 1

On page 1, line 5, after "definitions;" insert "to provide for an affirmative defense;"

AMENDMENT NO. 2

On page 2, after line 23, insert the following: "G. It shall be an affirmative defense to any charge under this Section that the obligor was financially unable to pay the support obligation during and after the period that he failed to pay as ordered by the court."

On motion of Senator Kostelka, the amendments were adopted.

Floor Amendments Sent Up

Senator Fields sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fields to Engrossed Senate Bill No. 633 by Senator Kostelka

AMENDMENT NO. 1

On page 2, between lines 11 and 12, insert the following: "(4) In any case in which restitution is made prior to the time of sentencing, the court may suspend all or any portion of the imposition or execution of the sentence otherwise required in this Subsection."

On motion of Senator Fields, the amendments were adopted.

The bill was read by title. Senator Kostelka moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-------------|
| Mr. President | Dupre | Kostelka |
| Adley | Ellington | Lentini |
| Amedee | Fields | Malone |
| Bajoie | Fontenot | Marionneaux |

Barham
Boasso
Boissiere
Cain
Chaisson
Cheek
Cravins
Dardenne
Duplessis
Total—38

Gautreaux, B
Gautreaux, N
Hainkel
Heitmeier
Holden
Hollis
Irons
Jackson
Jones

McPherson
Michot
Mount
Nevers
Schedler
Smith
Theunissen
Ullo

NAYS

Total—0

ABSENT

Romero
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Kostelka moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 638—

BY SENATORS BAJOE AND HOLDEN
AN ACT

To amend and reenact Children's Code Art. 610(A) and (E), relative to child abuse mandatory reporting procedure; to permit reporting to both the local child protection unit and the local or state law enforcement agency; to provide relative to cases which are reported in error; to require that such cases be reported to the appropriate agency; and to provide for related matters.

The bill was read by title. Senator Bajoie moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|--------------|-------------|
| Mr. President | Dupre | Kostelka |
| Adley | Ellington | Lentini |
| Amedee | Fields | Malone |
| Bajoie | Fontenot | Marionneaux |
| Barham | Gautreaux, B | McPherson |
| Boasso | Gautreaux, N | Michot |
| Boissiere | Hainkel | Mount |
| Cain | Heitmeier | Nevers |
| Chaisson | Holden | Schedler |
| Cheek | Hollis | Smith |
| Cravins | Irons | Theunissen |
| Dardenne | Jackson | Ullo |
| Duplessis | Jones | |
| Total—38 | | |

NAYS

Total—0

ABSENT

Romero

Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Bajoie moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 685—
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 15:574.2(A)(1) and (B)(1), relative to board of parole; to provide for changes to the voterequirement needed to grant parole; to provide with regard to the qualifications of the board members; and to provide for related matters.

On motion of Senator Jones, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 820—
BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 27:25(E), relative to hearings conducted by the Louisiana Gaming Control Board Hearing Office; to provide that the decision of a hearing officer on any dispute shall not be appealable by the state; and to provide for related matters.

On motion of Senator Marionneaux, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 3—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 43:111.1, relative to the expenditure of public funds on advertising; to prohibit the expenditure of any state funds for certain media advertisement which uses the name, likeness, or voice of any public official whether elected or appointed; to prohibit expenditure of public funds by any public entity certain for media advertisement which uses the name, likeness, or voice of any public official whether elected or appointed; to provide for penalties for violation of this provision; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 3 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 6, before "media advertisement" change "certain for" to "for certain"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator McPherson moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|--------------|-------------|
| Mr. President | Dupre | Kostelka |
| Adley | Ellington | Lentini |
| Amedee | Fields | Malone |
| Bajoie | Fontenot | Marionneaux |
| Barham | Gautreaux, B | McPherson |
| Boasso | Gautreaux, N | Michot |
| Boissiere | Hainkel | Mount |
| Cain | Heitmeier | Nevers |
| Chaisson | Holden | Schedler |
| Cheek | Hollis | Smith |
| Cravins | Irons | Theunissen |
| Dardenne | Jackson | Ullo |
| Duplessis | Jones | |

Total—38

NAYS

Total—0

ABSENT

Romero

Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 27—
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 24:653(K) and Part VIII-B of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:310, relative to legislative review; to require private entities to provide to the legislature information relative to the expenditure of revenue generated from the operation, management, or control of public lands or facilities; to require the division of administration to develop a reporting form; and to provide for related matters.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 27 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 15, after "facilities" insert "in the public interest"

AMENDMENT NO. 2

On page 2, line 11, after "facilities" insert "in the public interest"

On motion of Senator McPherson, the amendments were adopted.

The bill was read by title. Senator McPherson moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|--------------|-------------|
| Mr. President | Dupre | Kostelka |
| Adley | Ellington | Lentini |
| Amedee | Fields | Malone |
| Bajoie | Fontenot | Marionneaux |
| Barham | Gautreaux, B | McPherson |
| Boasso | Gautreaux, N | Michot |
| Boissiere | Hainkel | Mount |
| Cain | Heitmeier | Nevers |
| Chaisson | Holden | Schedler |
| Cheek | Hollis | Smith |
| Cravins | Irons | Theunissen |
| Dardenne | Jackson | Ullo |
| Duplessis | Jones | |
| Total—38 | | |

NAYS

Total—0

ABSENT

Romero
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 39— BY SENATOR MCPHERSON

AN ACT

To enact R.S. 24:653(K), and to enact Subpart E of Part I of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:17.1, relative to cooperative endeavor agreements; to require the commissioner of administration to provide a system of tracking certain cooperative endeavor agreements; to provide definitions; to provide for review and approval of certain cooperative endeavor agreements by the Joint Legislative Committee on the Budget; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 39 by Senator McPherson

AMENDMENT NO. 1

On page 3, line 2, following "require" and before "the" insert "that"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator McPherson moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|--------------|-------------|
| Mr. President | Dupre | Kostelka |
| Adley | Ellington | Lentini |
| Amedee | Fields | Malone |
| Bajoie | Fontenot | Marionneaux |
| Barham | Gautreaux, B | McPherson |
| Boasso | Gautreaux, N | Michot |
| Boissiere | Hainkel | Mount |
| Cain | Heitmeier | Nevers |
| Chaisson | Holden | Schedler |
| Cheek | Hollis | Smith |
| Cravins | Irons | Theunissen |
| Dardenne | Jackson | Ullo |
| Duplessis | Jones | |
| Total—38 | | |

NAYS

Total—0

ABSENT

Romero
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 46— BY SENATORS THEUNISSEN AND CHEEK

AN ACT

To enact Subpart G-1 of Part IV of Chapter 1 of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:200, relative to the use of electric personal assistive mobility devices; to provide for the operation of such devices by those individuals with mobility impairments; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Theunissen sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Theunissen to Engrossed Senate Bill No. 46 by Senator Theunissen

AMENDMENT NO. 1

On page 2, line 4, after "sidewalks" insert "or bicycle paths"

On motion of Senator Theunissen, the amendments were adopted.

The bill was read by title. Senator Theunissen moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|--------------|-------------|
| Mr. President | Dupre | Lentini |
| Adley | Ellington | Malone |
| Amedee | Fields | Marionneaux |
| Bajoie | Fontenot | McPherson |
| Barham | Gautreaux, B | Michot |
| Boasso | Gautreaux, N | Mount |
| Boissiere | Heitmeier | Nevers |
| Cain | Holden | Schedler |
| Chaisson | Hollis | Smith |
| Cheek | Irons | Theunissen |
| Cravins | Jackson | Ullo |
| Dardenne | Jones | |
| Duplessis | Kostelka | |
| Total—37 | | |

NAYS

Total—0

ABSENT

| | |
|---------|--------|
| Hainkel | Romero |
| Total—2 | |

The Chair declared the amended bill was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Irons asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

**Introduction of Resolutions,
Senate and Concurrent**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 51—
BY SENATOR IRONS

A RESOLUTION

To proclaim Thursday, May 6, 2004 as "Go Red for Mothers & Women Day in Louisiana."

On motion of Senator Irons, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 52—

BY SENATORS BAJOIE, CHEEK, DUPLESSIS, IRONS, JACKSON AND MOUNT

A RESOLUTION

To proclaim the month of May as Health Choices Month in the Senate.

On motion of Senator Bajoie, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 53—

BY SENATOR HAINKEL

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana on the death of Jean McGivney Boese, former state poet laureate.

On motion of Senator Hainkel, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 54—

BY SENATOR HAINKEL

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana on the death of Allen Hobbs Capps.

On motion of Senator Hainkel, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 93—

BY SENATOR FIELDS

A CONCURRENT RESOLUTION

To the Senate Committee on Judiciary A and the House Committee on Judiciary to meet and to function as a joint committee to study all aspects of increasing the number of judges of the First Circuit Court of Appeal, supreme court districts, and associate justices.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Judiciary A.

SENATE CONCURRENT RESOLUTION NO. 94—

BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To commend and congratulate Sue Gunter on her career and to acknowledge the high standard of performance she inspired and the high level of integrity and ethical conduct she required for the LSU Women's Basketball Team and all those associated with the program.

The resolution was read by title. Senator Dardenne moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|----------|
| Mr. President | Duplessis | Jones |
| Adley | Dupre | Kostelka |
| Amedee | Ellington | Lentini |
| Bajoie | Fields | Malone |

| | | |
|-----------|--------------|-------------|
| Barham | Fontenot | Marionneaux |
| Boasso | Gautreaux, N | Michot |
| Boissiere | Hainkel | Mount |
| Cain | Heitmeier | Nevers |
| Chaisson | Holden | Schedler |
| Cheek | Hollis | Smith |
| Cravins | Irons | Theunissen |
| Dardenne | Jackson | Ullo |
| Total—36 | | |

NAYS

Total—0

ABSENT

| | | |
|--------------|-----------|--------|
| Gautreaux, B | McPherson | Romero |
| Total—3 | | |

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 3, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 1479— BY REPRESENTATIVES BRUCE AND MARTINY AN ACT

To amend and reenact R.S. 14:95(H), relative to the illegal carrying of weapons; to amend the exception for judges, district attorneys, and coroners to require that they be qualified annually in the use of firearms; and to provide for related matters.

HOUSE BILL NO. 1543— BY REPRESENTATIVE BRUNEAU AN ACT

To amend and reenact R.S. 40:1236.13(A)(3)(a) and 1236.14, relative to automated external defibrillators; to authorize the use of automated external defibrillators by private security personnel; and to provide for related matters.

HOUSEBILL NO. 1696 (Substitute for House Bill No. 1303 by Representative Hammett)— BY REPRESENTATIVE HAMMETT AN ACT

To amend and reenact R.S. 47:1621(E) and 1624(A) and to enact R.S. 47:115(C), relative to refunds and credits; to provide for certain situations in which interest on refunds of overpayments will begin to accrue; to provide for the recovery of credits given for

overpayments later deemed invalid; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1694 (Substitute for House Bill No. 500 by Representative Hammett)— BY REPRESENTATIVE HAMMETT AN ACT

To amend and reenact R.S. 47:1520, relative to the Department of Revenue; to authorize the secretary to require electronic filing of tax returns or reports under certain circumstances; to require that the electronic filing requirement be implemented through administrative rule; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 849— BY REPRESENTATIVE FARRAR AN ACT

To enact R.S. 56:109.1, relative to wildlife management areas; to provide for the use of all-terrain vehicle trails in such areas year round; and to provide for related matters.

HOUSE BILL NO. 884— BY REPRESENTATIVE WINSTON AN ACT

To amend and reenact Children's Code Article 610(B)(8) and (D) and to enact Children's Code Article 610(B)(9), relative to child abuse reporting and investigation; to create an optional written form for the assistance of mandatory reporters; and to provide for related matters.

HOUSE BILL NO. 900— BY REPRESENTATIVE WINSTON AN ACT

To amend and reenact Children's Code Article 610(A) and (E), relative to child abuse mandatory reporting procedure; to permit reporting to both the local child protection unit and the local or state law enforcement agency; to provide for reporting of certain cases to a law enforcement agency; and to provide for related matters.

HOUSE BILL NO. 1060— BY REPRESENTATIVE WINSTON AN ACT

To amend and reenact R.S. 22:228.6(B)(2)(b), relative to health insurance, to provide relative to premiums charged for individual health insurance policies or subscriber agreements; and to provide for related matters.

HOUSE BILL NO. 1154— BY REPRESENTATIVE DURAND AN ACT

To amend and reenact Children's Code Article 603(3) and to repeal R.S. 46:1441.6(A), relative to child care; to relocate the responsibilities of the investigations of abuse and neglect; to change definitions; and to provide for related matters.

HOUSE BILL NO. 1444— BY REPRESENTATIVE SMILEY (BY REQUEST) AN ACT

To amend and reenact R.S. 18:1307(A)(3), relative to applications to vote absentee by mail; to provide for the address given to a registrar of voters by a person submitting an application to vote absentee by mail; and to provide for related matters.

HOUSE BILL NO. 1446—

BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 37:2504(G), relative to the Board of Examiners of Nursing Facility Administrators; to authorize the board to purchase immovable property and to incur debt; and to provide for related matters.

HOUSE BILL NO. 1450—

BY REPRESENTATIVE MORRELL
AN ACT

To amend and reenact R.S. 18:402(B), (E)(1)(b) and (2)(b), and (F)(2), 467(2), 469(D)(2), and 1272(A), relative to election dates; to provide for the dates of the congressional elections and other elections held at the same time as the congressional elections; to provide for qualifying periods for such elections; and to provide for related matters.

HOUSE BILL NO. 1456—

BY REPRESENTATIVES PIERRE, DANIEL, FRITH, MORRISH, AND JACK SMITH

AN ACT

To amend and reenact R.S. 56:109(D)(5) and 647.1 and to enact R.S. 56:104(D) and 302.2(C), relative to hunting and fishing licenses; to authorize exemptions from certain licensing requirements; and to provide for related matters.

HOUSE BILL NO. 1458—

BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact Code of Criminal Procedure Article 930.8(C), relative to the prescriptive period for post-conviction relief; to provide for notice to the defendant of the prescriptive period for post-conviction relief; to provide for waiver of rights; and to provide for related matters.

HOUSE BILL NO. 1467—

BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 56:25 and to repeal R.S. 56:26, 644, and 645, relative to fish and wildlife restoration and management projects; to specify that the department will adhere to the provisions of federal law which govern the use of federal funds for fish and wildlife habitat restoration projects; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 849—

BY REPRESENTATIVE FARRAR
AN ACT

To enact R.S. 56:109.1, relative to wildlife management areas; to provide for the use of all-terrain vehicle trails in such areas year round; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 884—

BY REPRESENTATIVE WINSTON
AN ACT

To amend and reenact Children's Code Article 610(B)(8) and (D) and to enact Children's Code Article 610(B)(9), relative to child abuse reporting and investigation; to create an optional written form for the assistance of mandatory reporters; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 900—

BY REPRESENTATIVE WINSTON
AN ACT

To amend and reenact Children's Code Article 610(A) and (E), relative to child abuse mandatory reporting procedure; to permit reporting to both the local child protection unit and the local or state law enforcement agency; to provide for reporting of certain cases to a law enforcement agency; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1060—

BY REPRESENTATIVE WINSTON
AN ACT

To amend and reenact R.S. 22:228.6(B)(2)(b), relative to health insurance, to provide relative to premiums charged for individual health insurance policies or subscriber agreements; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1154—

BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact Children's Code Article 603(3) and to repeal R.S. 46:1441.6(A), relative to child care; to relocate the responsibilities of the investigations of abuse and neglect; to change definitions; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1444—

BY REPRESENTATIVE SMILEY (BY REQUEST)
AN ACT

To amend and reenact R.S. 18:1307(A)(3), relative to applications to vote absentee by mail; to provide for the address given to a registrar of voters by a person submitting an application to vote absentee by mail; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1446—

BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 37:2504(G), relative to the Board of Examiners of Nursing Facility Administrators; to authorize the board to purchase immovable property and to incur debt; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1450—

BY REPRESENTATIVE MORRELL
AN ACT

To amend and reenact R.S. 18:402(B), (E)(1)(b) and (2)(b), and (F)(2), 467(2), 469(D)(2), and 1272(A), relative to election dates; to provide for the dates of the congressional elections and other elections held at the same time as the congressional elections; to provide for qualifying periods for such elections; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1456—

BY REPRESENTATIVES PIERRE, DANIEL, FRITH, MORRISH, AND JACK SMITH
AN ACT

To amend and reenact R.S. 56:109(D)(5) and 647.1 and to enact R.S. 56:104(D) and 302.2(C), relative to hunting and fishing licenses; to authorize exemptions from certain licensing requirements; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1458—

BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact Code of Criminal Procedure Article 930.8(C), relative to the prescriptive period for post-conviction relief; to provide for notice to the defendant of the prescriptive period for post-conviction relief; to provide for waiver of rights; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1467—

BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 56:25 and to repeal R.S. 56:26, 644, and 645, relative to fish and wildlife restoration and management projects; to specify that the department will adhere to the provisions of federal law which govern the use of federal funds for fish and wildlife habitat restoration projects; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1479—

BY REPRESENTATIVES BRUCE AND MARTINY
AN ACT

To amend and reenact R.S. 14:95(H), relative to the illegal carrying of weapons; to amend the exception for judges, district attorneys, and coroners to require that they be qualified annually in the use of firearms; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1543—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 40:1236.13(A)(3)(a) and 1236.14, relative to automated external defibrillators; to authorize the use of automated external defibrillators by private security personnel; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1694 (Substitute for House Bill No. 500 by Representative Hammett)—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:1520, relative to the Department of Revenue; to authorize the secretary to require electronic filing of tax returns or reports under certain circumstances; to require that the electronic filing requirement be implemented through administrative rule; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSEBILL NO. 1696 (Substitute for House Bill No. 1303 by Representative Hammett)—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:1621(E) and 1624(A) and to enact R.S. 47:115(C), relative to refunds and credits; to provide for certain situations in which interest on refunds of overpayments will begin to accrue; to provide for the recovery of credits given for overpayments later deemed invalid; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

FINANCE

Senator Heitmeier, Chairman on behalf of the Committee on Finance, submitted the following report:

May 3, 2004

To the President and Members of the Senate:

I am directed by your Committee on Finance to submit the following report:

SENATE BILL NO. 101—

BY SENATOR CHAISSON
AN ACT

To amend and reenact R.S. 13:352(C), and to enact R.S. 13:352(D), relative to expenses of judges of courts of appeal; to eliminate provisions which authorize the use of the balance of filing fees in the courts of appeal to be used for reimbursement of

expenses; to authorize an unvouchered expense allowance from such funds; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 121—
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 18:424(E) and 425(E), relative to compensation of election commissioners; to provide for additional compensation of commissioners; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 468—
BY SENATOR FONTENOT

AN ACT

To enact Part II of Chapter 21 of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:2551 and 2552, relative to environmental quality; to provide for the Brownfields Cleanup Revolving Loan Fund; to provide for purpose; to provide for capitalization; to provide for uses; to provide for authority to make loans, grants, and incur debt; to provide for the administration of the fund; to provide for bonds, notes, or other evidence of indebtedness; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 561—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 18:424(E) and 425(E), and to enact R.S. 18:425.2 and 426.1, relative to the authority of parish boards of election supervisors to provide for two commissioners to work half of an election day; to authorize any parish board of election supervisors in the event of a shortage of commissioners to create two equal work shifts for commissioners; to authorize such parish board of election supervisors to select commissioners to serve one or two shifts on an election day; to provide for the compensation of such commissioners; to require the State Board of Election Supervisors to prescribe uniform rules for the selection, scheduling, and procedures for creating two equal shifts for commissioners on election day; to provide for the compensation of such commissioners; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 830—
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 40:384(1) and to enact R.S. 40:382(16), 384(29), (30), (31) and (32), and 490(D), relative to housing; to provide for findings and purposes; to provide for definitions; to provide with respect to mixed finance projects; to provide for exemptions; and to provide for related matters.

Reported favorably.

Respectfully submitted,
FRANCIS C. HEITMEIER
Chairman

Motion to Make Special Order

Senator Jones asked for and obtained a suspension of the rules for the purpose of making Senate Bill No. 150, which is on Third Reading and Final Passage Subject to Call, Special Order of the Day No. 1 on Wednesday, May 5, 2004 immediately following the Morning Hour.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 3, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 144—

BY REPRESENTATIVES DOWNS AND GALLOT AND SENATOR KOSTELKA

A CONCURRENT RESOLUTION

To commend Melissa McConnell of Baton Rouge for her outstanding accomplishments and for proudly representing the state as Miss Louisiana USA 2004.

HOUSE CONCURRENT RESOLUTION NO. 147—

BY REPRESENTATIVE GEYMAN AND SENATOR MOUNT

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Jeffrey Lynn "Jeff" Parker of Lake Charles.

HOUSE CONCURRENT RESOLUTION NO. 149—

BY REPRESENTATIVES MURRAY AND BRUNEAU

A CONCURRENT RESOLUTION

To commend Dean James Marshall Klebba of Loyola University New Orleans School of Law upon the occasion of his portrait unveiling ceremony.

HOUSE CONCURRENT RESOLUTION NO. 150—

BY REPRESENTATIVES GARY SMITH, DORSEY, AND BROOME AND SENATOR CHAISSON

A CONCURRENT RESOLUTION

To commend Dana "Pokey" Chatman upon her selection as head coach of the Louisiana State University Lady Tigers basketball team.

HOUSE CONCURRENT RESOLUTION NO. 152—

BY REPRESENTATIVES DORSEY AND BROOME AND SENATOR FIELDS

A CONCURRENT RESOLUTION

To commend Sue Gunter upon her retirement for her remarkable twenty-two year legacy as head coach of the Louisiana State University Lady Tigers basketball team and to extend to her best wishes in her future endeavors.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 3, 2004

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolution has been properly enrolled:

**SENATE CONCURRENT RESOLUTION NO. 26—
BY SENATORS MICHOT AND SMITH**

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations to replace the term "visitation" when referring to the time a parent spends with their child in Louisiana laws.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 3, 2004

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Resolutions have been properly enrolled:

SENATE RESOLUTION NO. 14—

BY SENATORS MOUNT, HAINKEL, HINES, LENTINI AND SCHEDLER

A RESOLUTION

To urge and request the Senate Committee on Senate and Governmental Affairs and specified additional senators to study, review, and make recommendations to revise the Senate Rules of Order.

SENATE RESOLUTION NO. 36—

BY SENATOR BARHAM

A RESOLUTION

To urge and request the Louisiana congressional delegation to end the abuse of tort law against the firearms industry.

SENATE RESOLUTION NO. 47—

BY SENATOR HAINKEL

A RESOLUTION

To commend the players, coaches, and managerial personnel of the 2003-2004 Brother Martin High School Boys Basketball Team on winning the State 5-A Boys State Basketball Championship for the first time in thirty years.

SENATE RESOLUTION NO. 48—

BY SENATOR KOSTELKA

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Mrs. Pearl Fennell Bower Corry.

SENATE RESOLUTION NO. 38—

BY SENATOR FONTENOT

A RESOLUTION

To commend the National Environmental Health Association and the Louisiana Environmental Health Association for their achievements in protecting public health and join with the membership of these organizations in celebrating Monday, April 26, 2004 as National Sanitarian and Environmental Health Specialist Day in the state of Louisiana.

SENATE RESOLUTION NO. 39—

BY SENATORS MCPHERSON AND FIELDS

A RESOLUTION

To commend the national chain drug stores within the state of Louisiana on their impact on Louisiana's economy and to designate Thursday, April 22, 2004, as "National Chain Drug Stores Day" in the Louisiana Senate.

SENATE RESOLUTION NO. 40—

BY SENATOR DUPLESSIS

A RESOLUTION

To urge and request the Select Committee on Women and Children to conduct a study of the possibility of creating a grandparent's bill of rights.

SENATE RESOLUTION NO. 42—

BY SENATORS HAINKEL, ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLDEN, HOLLIS, IRONS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To commend the 2nd Battalion of the 20th Special Forces Group, Airborne, for heroic contributions during actions in the war on terrorism.

SENATE RESOLUTION NO. 43—
BY SENATOR HOLDEN

A RESOLUTION

To commend and congratulate Tabby Thomas upon receiving the 2004 Baton Rouge Blues Foundation Slim Harpo Blues Legend Award.

SENATE RESOLUTION NO. 44—
BY SENATOR HOLDEN

A RESOLUTION

To commend and congratulate Kenny Neal upon receiving the 2004 Baton Rouge Blues Foundation Slim Harpo Blues Pioneer Award.

SENATE RESOLUTION NO. 45—
BY SENATOR HOLDEN

A RESOLUTION

To commend and congratulate Larry Garner upon receiving the 2004 Baton Rouge Blues Foundation Slim Harpo Blues Ambassador Award.

SENATE RESOLUTION NO. 46—
BY SENATOR KOSTELKA

A RESOLUTION

To commend and congratulate Dr. Neari F. Warner on her tenure as acting president of Grambling State University.

SENATE RESOLUTION NO. 41—

BY SENATORS HAINKEL, ADLEY, AMEDEE, BAJOEI, BARHAM, BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLDEN, HOLLIS, IRONS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Estelle Gross Hart, wife, mother and sister.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Resolutions were signed by the President of the Senate and presented to the Secretary of State by the Secretary.

Message to the Secretary of State

SIGNED

SENATE CONCURRENT RESOLUTIONS

May 3, 2004

To the Honorable Secretary of State:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 67—

BY SENATOR ELLINGTON AND REPRESENTATIVES R. CARTER AND MCVEA

A CONCURRENT RESOLUTION

To commend Al Lemoine, principal at West Feliciana Middle School, on being honored with the Louisiana Middle School Association Award of Excellence.

SENATE CONCURRENT RESOLUTION NO. 68—

BY SENATOR ELLINGTON AND REPRESENTATIVES R. CARTER AND MCVEA

A CONCURRENT RESOLUTION

To commend Jean Woodside upon her selection as Louisiana Teacher of the Year for 2004, and for her dedicated service to the students of West Feliciana Parish.

SENATE CONCURRENT RESOLUTION NO. 69—

BY SENATORS N. GAUTREAUX, ADLEY, AMEDEE, BAJOEI, BARHAM, BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, IRONS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Sergeant Toby Wayne Mallet.

SENATE CONCURRENT RESOLUTION NO. 70—

BY SENATOR N. GAUTREAUX AND REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To express sincere condolences on the death of Kevin Suire and to recognize him at the "Le Jour de Cajun".

SENATE CONCURRENT RESOLUTION NO. 71—

BY SENATOR IRONS

A CONCURRENT RESOLUTION

To proclaim May 5, 2004 as "Sex has Consequences" National Teen Pregnancy Day.

SENATE CONCURRENT RESOLUTION NO. 73—

BY SENATOR N. GAUTREAUX AND REPRESENTATIVES FRITH, HEBERT AND TRAHAN

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Mr. Euda Delcambre.

SENATE CONCURRENT RESOLUTION NO. 74—

BY SENATORS HAINKEL, ADLEY, AMEDEE, BAJOEI, BARHAM, BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLDEN, HOLLIS, IRONS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana on the death of former state legislator, Donald Fortier.

SENATE CONCURRENT RESOLUTION NO. 79—

BY SENATOR ELLINGTON AND REPRESENTATIVE R. CARTER

A CONCURRENT RESOLUTION

To commend Duke Energy Gas Transmission Corporation's Texas Eastern Transmission, LP affiliate on the donation of 3.63 acres of land to the Fire Protection District No. 1 in West Feliciana Parish.

SENATE CONCURRENT RESOLUTION NO. 80—

BY SENATOR HOLLIS

A CONCURRENT RESOLUTION

To designate April 27, 2004 as "Louisiana Electric Cooperative Day" at the legislature.

SENATE CONCURRENT RESOLUTION NO. 81—

BY SENATOR KOSTELKA

A CONCURRENT RESOLUTION

To commend and congratulate Glen Erroll Neaville upon the occasion of his forty-fifth anniversary in banking in Louisiana.

SENATE CONCURRENT RESOLUTION NO. 83—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To designate August, 2004, as Adrenoleukodystrophy Awareness Month.

SENATE CONCURRENT RESOLUTION NO. 85—

BY SENATOR ADLEY AND REPRESENTATIVE DOERGE

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana to the parents of Jason Kavanaugh Willis and the parents of Sarah Margaret Madden Willis on the death of their children.

SENATE CONCURRENT RESOLUTION NO. 87—

BY SENATORS IRONS AND MARIONNEAUX

A CONCURRENT RESOLUTION

To proclaim the month of May as "National Foster Care Month".

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Leaves of Absence

The following leaves of absence were asked for and granted:

Romero 1 Day

Adjournment

Senator Bajoie moved that the Senate adjourn until Tuesday, May 4, 2004, at 2:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 2:00 o'clock P.M. on Tuesday, May 4, 2004.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk